

House File 2484 - Introduced

HOUSE FILE 2484
BY COMMITTEE ON NATURAL
RESOURCES

(SUCCESSOR TO HF 2293)

A BILL FOR

1 An Act exempting certain boat harbors from certain dock
2 requirements and including effective date and retroactive
3 applicability provisions.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 462A.27A Dock requirements —
2 exemptions.

3 1. Applicants for a class I, II, and III permits for docks
4 in a boat harbor located on the Cedar river in a city with
5 a population of more than one hundred twenty-five thousand
6 located in a county with a population of more than two hundred
7 thousand that meet other standard dock requirements but use
8 containers not originally manufactured as flotation devices,
9 shall be issued a permit and authorized by the department
10 to continue to use such containers as flotation devices if
11 the containers were in use on or before February 15, 2010.
12 At the time that such flotation devices are replaced, the
13 replacement flotation devices shall comply with the rules of
14 the department.

15 2. Applicants for a class I, II, or III dock permit in
16 a boat harbor located on the Cedar river in a city with a
17 population of more than one hundred twenty-five thousand
18 located in a county with a population of more than two hundred
19 thousand as of February 15, 2010, who are issued a permit
20 pursuant to subsection 1 shall be authorized by the department
21 to transfer the permit to a child of the current permit holder
22 and the child of a current permit holder may renew the permit
23 for additional terms so long as all requirements to hold a dock
24 permit are met. A child of a current permit holder to whom the
25 permit is transferred shall be subject to the provisions of
26 subsection 1.

27 3. If a holder of a class I, II, or III permit for a dock
28 in a boat harbor located on the Cedar river in a city with
29 a population of more than one hundred twenty-five thousand
30 located in a county with a population of more than two hundred
31 thousand does not renew the permit or transfer the permit to
32 the holder's child as provided in subsection 2, the department
33 shall make the permit available to members of the general
34 public in compliance with rules of the department. However, a
35 member of the general public who purchases a permit pursuant to

1 this subsection shall meet all requirements of the department
2 to hold a dock permit and is not subject to the provisions of
3 subsection 1.

4 4. This section is retroactively applicable to persons who
5 have submitted an application for a dock permit as of February
6 15, 2010.

7 Sec. 2. EFFECTIVE UPON ENACTMENT AND RETROACTIVE
8 APPLICABILITY. This Act, being deemed of immediate importance,
9 takes effect upon enactment and applies retroactively to
10 February 15, 2010.

11 EXPLANATION

12 This bill allows applicants for class I, II, and III
13 permits for docks in a boat harbor located on the Cedar river
14 in a city with a population of more than 125,000 located in a
15 county with a population of more than 200,000 who are issued a
16 dock permit and meet other standard dock requirements but use
17 containers not originally manufactured as flotation devices to
18 continue to use such containers if the containers were in use
19 on or before February 15, 2010. If such flotation devices are
20 replaced, the replacement devices must comply with standard
21 dock requirements.

22 The bill also allows applicants for class I, II, and III dock
23 permits in a boat harbor located on the Cedar river in a city
24 with a population of more than 125,000 located in a county with
25 a population of more than 200,000 as of February 15, 2010, who
26 are issued a dock permit, to transfer their dock permits to
27 their children and allows those children to renew the permits
28 for additional terms so long as requirements to hold a dock
29 permit are met. A child of a current permit holder to whom a
30 permit is transferred shall be subject to the provisions of
31 subsection 1.

32 The bill also provides that if the holder of a dock permit
33 does not renew the permit or transfer the permit to the
34 holder's child, the department of natural resources shall
35 make the permit available to members of the general public in

1 compliance with department rules. However, a member of the
2 general public who purchases such a permit is not subject to
3 the exemption from dock requirements contained in subsection
4 1 of the bill.

5 The bill is effective upon enactment and is retroactively
6 applicable to February 15, 2010.